

BAL HARBOUR

- V I L L A G E -

Mayor Jeffrey P. Freimark
Vice Mayor Seth E. Salver
Councilman David J. Albaum
Councilman Buzzy Sklar
Councilman David Wolf

Village Manager Jorge M. Gonzalez
Village Clerk Dwight S. Danie
Village Attorneys Weiss Serota
Helfman Cole & Bierman, P.L.

Bal Harbour Village Council

Regular Meeting Agenda

July 16, 2024

At 6:30 PM

Bal Harbour Village Hall • Council Chamber • 655 96th Street • Bal Harbour • Florida 33154

This meeting will be conducted in person. The meeting will also be broadcast on our website at <https://balharbourfl.gov/government/village-clerk/minutes-and-agendas/>. Members of the public are also encouraged to participate by email (meetings@balharbourfl.gov) or by telephone at 305-865-6449.

*BHV Who We Are, Vision, Mission, Values / The Bal Harbour Experience
[The Bal Harbour Experience.pdf](#)*

CALL TO ORDER/ PLEDGE OF ALLEGIANCE

REQUESTS FOR ADDITIONS, WITHDRAWALS AND DEFERRALS

PRESENTATIONS AND AWARDS

- PA1** CITT Executive Director Javier A. Betancourt - Presentation
[Citizens Independent Transportation Trust \(CITT\) ADA.pdf](#)
- PA2** Freebee On Demand - Presentation
[Freebee Plus Bal Harbour ADA.pdf](#)

CONSENT AGENDA

C6 - COUNCIL MINUTES

- C6A** Village Council Meeting Minutes - June 18, 2024
[VillageCouncil-RegularCouncilMeetingMinutes_June18_2024.pdf](#)

C7 - RESOLUTIONS

- C7A** Authorizing UASI Grant Network Equipment Purchase - Dell Marketing L.P.
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO PIGGYBACK ON THE STATE OF FLORIDA CONTRACT FOR DELL COMPUTER EQUIPMENT, PERIPHERALS, AND RELATED SERVICES; AND FURTHER APPROVING THE

PURCHASE OF DELL TECHNOLOGIES SOLUTIONS IN THE AMOUNT NOT TO EXCEED SEVENTY-FOUR THOUSAND SIX HUNDRED EIGHTY-ONE DOLLARS AND SIXTY-EIGHT CENTS (\$74,681.68); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - UASI Dell Purchase ADA.pdf](#)

[Memorandum - UASI Dell Purchase ADA.pdf](#)

[Resolution - UASI Dell Purchase ADA.pdf](#)

[Attachment - State of Florida Dell Contract ADA.pdf](#)

[Attachment - Dell Quotes - July 16 2024 Council ADA.pdf](#)

- C7B** Authorizing Aluminum Trailer Purchase - Trailer USA
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING THE PURCHASE OF A 2024 6-FOOT-WIDE, 14-FOOT-LONG DUAL AXLE ALUMINUM DUMP TRAILER FOR THE PUBLIC WORKS & BEAUTIFICATION DEPARTMENT FROM TRAILERS USA, IN THE AMOUNT NOT TO EXCEED TWENTY-TWO THOUSAND NINE HUNDRED FORTY-SEVEN DOLLARS (\$22,947); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Approval of PWB Trailer Purchase ADA.pdf](#)

[Memorandum - Approval of PWB Trailer Purchase ADA.pdf](#)

[Resolution - Approval of PWB Trailer Purchase ADA.pdf](#)

[Attachment - Proposal For Aluminum Dump Trailer Acquisition Trailer USA ADA.pdf](#)

R5 - ORDINANCES

- R5A** Ordinance - Amending Noise Regulations - Second Reading
AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA AMENDING CHAPTER 11 "NUISANCES," ARTICLE II "NOISE" OF THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Noise Regulations ADA.pdf](#)

[Memorandum - Noise Regulations ADA.pdf](#)

[Ordinance - Noise Regulations ADA.pdf](#)

[Attachment - Business Impact Estimate - Noise Regulations Item R5A.pdf](#)

- R5B** Ordinance - Amending Legal Representation Of Village In Special Master Process
AN ORDINANCE OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE V, "CODE ENFORCEMENT," SECTION 2-182, "QUALIFICATIONS OF SPECIAL MASTERS AND REMOVAL; ORGANIZATION," OF THE VILLAGE CODE REGARDING THE VILLAGE ATTORNEY'S ROLE AT CODE ENFORCEMENT HEARINGS; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, CONFLICTS, AND FOR AN EFFECTIVE DATE.

[Item Summary - Amending Legal Representation Of Village In Special Master Process ADA.pdf](#)

[Memorandum - Amending Legal Representation Of Village In Special Master Process ADA.pdf](#)

[Ordinance - Amending Legal Representation Of Village In Special Master Process ADA.pdf](#)

R5C Ordinance - Amending Zoning Related To Fair Housing
AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING CHAPTER 21 "ZONING" OF THE CODE OF ORDINANCES TO CLARIFY AND REVISE DEFINITIONS AND REGULATIONS APPLICABLE TO THE RESIDENTIAL ZONING DISTRICTS, AND TO PROVIDE REGULATORY INCENTIVES FOR AFFORDABLE RENTAL DWELLINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, INCLUSION IN THE CODE, AND FOR AN EFFECTIVE DATE.

[Item Summary - Amending Zoning Related To Fair Housing ADA.pdf](#)

[Memorandum - Amending Zoning Related To Fair Housing ADA.pdf](#)

[Ordinance - Amending Zoning Related To Fair Housing ADA.pdf](#)

[Attachment - Miller BHV Fair Housing Draft Staff Report July 2 2024 ADA.pdf](#)

R7 - RESOLUTIONS

R7A Approving Tentative Millage Rate
A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME, AND PLACE FOR THE FIRST BUDGET HEARING FOR FISCAL YEAR 2024-25; AS REQUIRED BY LAW; DIRECTING THE VILLAGE CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Tentative Millage ADA.pdf](#)

[Memorandum - Tentative Millage ADA.pdf](#)

[Resolution - Tentative Millage ADA.pdf](#)

R7B Approving Architectural Design & Construction Agreement Assignment - Charles H. Benson & Associates Architects, P.A.

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING AN ASSIGNMENT OF AGREEMENT FROM MIKYOUNG KIM DESIGN (MYKD) TO CHARLES H. BENSON & ASSOCIATES ARCHITECTS, P.A. FOR THE PROVISION OF ARCHITECTURAL DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE VILLAGE HARBOURFRONT PARK, CUTWALK AND JETTY PROJECT; APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CHARLES H. BENSON & ASSOCIATES ARCHITECTS, P.A. IN THE AMOUNT NOT TO EXCEED FOUR HUNDRED FORTY-TWO THOUSAND TWO HUNDRED DOLLARS (\$442,200) IN FURTHERANCE OF THE ASSIGNED AGREEMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Architectural Design & Construction Agreement Assignment ADA.pdf](#)

[Memorandum - Architectural Design & Construction Agreement Assignment ADA.pdf](#)

[Resolution - Architectural Design & Construction Agreement Assignment ADA.pdf](#)

[Attachment 1 - MYKD Assignment of Agreement Draft ADA.pdf](#)

[Attachment 2 - Charles H. Benson & Associates Architects PSA Draft ADA.pdf](#)

[Attachment 3 - Charles H. Benson's & Associates Examples ADA.pdf](#)

R7C Approving Construction Manager At Risk - Whiting-Turner Contracting Company

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; AWARDED A CONSTRUCTION MANAGER AT-RISK (CMAR) AGREEMENT TO THE WHITING-TURNER CONTRACTING COMPANY FOR SERVICES RELATED TO THE HARBOURFRONT PARK, JETTY & CUTWALK PROJECT, APPROVING A PRE-CONSTRUCTION FEE IN THE AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY-NINE THOUSAND FIVE HUNDRED NINETY-FOUR DOLLARS (\$159,594); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Construction Manager At Risk Agreement ADA.pdf](#)

[Memorandum - Construction Manager At Risk Agreement ADA.pdf](#)

[Resolution - Construction Manager At Risk Agreement ADA.pdf](#)

[Attachment - CMAR Agreement Draft ADA.pdf](#)

[Attachment - Proposal Whiting-Turner Submission Bal Harbour Jetty Cutwalk ADA.pdf](#)

R7D Accepting Village Attorney Annual Review

A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; ACCEPTING THE ANNUAL REPORT OF THE VILLAGE ATTORNEY AND APPROVING AN INCREASE IN COMPENSATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

[Item Summary - Village Attorney Annual Review ADA.pdf](#)

[Memorandum - Village Attorney Annual Review ADA.pdf](#)

[Resolution - Village Attorney Annual Review ADA.pdf](#)

[Attachment - Village Attorney Annual Report 2023 ADA.pdf](#)

R9 - NEW BUSINESS AND COUNCIL DISCUSSION

R9A Discussion Item - Sandbar Status - Mayor Jeffrey P. Freimark

[Sandbar Update - Mayor Jeffrey P. Freimark ADA.pdf](#)

R9B Discussion Item - Potential Legalization of Marijuana - Village Manager Jorge M. Gonzalez

[Potential Legalization of Marijuana - Village Manager Jorge M. Gonzalez ADA.pdf](#)

R9C - PUBLIC COMMENT

R10 - VILLAGE MANAGER REPORT

R11 - VILLAGE CLERK REPORT

R11A Lobbyist Report

[R11A1_Lobbyist Registration Report as of July9_2024.pdf](#)

R12 - VILLAGE ATTORNEY REPORT

R12A Monthly Attorney Report [June 2024 - Monthly Attorney Report ADA.pdf](#)

END OF REGULAR AGENDA

ADJOURNMENT

One or more members of any Village Committee/Board may attend this meeting of the Council and may discuss matters which may later come before their respective Boards/Committees.

The New Business and Council Discussion Section includes a section for Public Comment. On public comment matters, any person is entitled to be heard by this Council on any matter; however, no action shall be taken by the Council on a matter of public comment, unless the item is specifically listed on the agenda, or is added to the agenda by Council action.

Any person who acts as a lobbyist, pursuant to Village Code Section 2-301 (Lobbyists), must register with the Village Clerk, prior to engaging in lobbying activities before Village staff, boards, committees, and/or the Village Council. A copy of the Ordinance is available in the Village Clerk's Office at Village Hall.

If a person decides to appeal any decision made by the Village Council with respect to any matter considered at a meeting or hearing, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

All persons who need assistance or special accommodations to participate in virtual meetings please contact the Village Clerk's Office (305-866-4633), not later than two business days prior to such proceeding.

In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Village Clerk's Office (305-866-4633), not later than two business days prior to such proceeding.

All Village Council meeting attendees, including Village staff and consultants, are subject to security screening utilizing a metal detector and/or wand, prior to entering the Council Chamber, Conference Room, or other meeting area located within Village Hall. This is for the safety of everyone. Thanks for your cooperation.